

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UBS REAL ESTATE SECURITIES INC.,

Plaintiff,

-against-

SILVER STATE FINANCIAL SERVICES,
INC. d/b/a SILVER STATE MORTGAGE,

Defendant.

Case No.: 07 Civ. 3702 (MGC)

ECF Case

**NOTICE OF MOTION FOR
DEFAULT JUDGMENT**

PLEASE TAKE NOTICE THAT, pursuant to Federal Rule of Civil Procedure 55(b)(2) and Local Civil Rule 55.2(b), upon the Declaration of Brian Bowes, dated November 27, 2007, and attached exhibit, the accompanying Declaration of Joel M. Miller, dated November 27, 2007, and attached exhibits, and all other pleadings and proceedings herein, plaintiff UBS Real Estate Securities Inc. will move this Court (Hon. Miriam Goldman Cedarbaum) at the United States Courthouse, 500 Pearl Street, New York, New York, on the 10th day of January, 2008, at 9:30 a.m., for a judgment by default against defendant Silver State Financial Services, Inc. d/b/a Silver State Mortgage, in the amount of \$2,897,080.39 (not including interest to date from October 19, 2007 at the per diem rate of \$710.52), which amount consists of \$2,881,573 in damages and \$15,507.39 in reasonable costs, attorneys' fees and expenses incurred in connection with this action.

Attached hereto as Exhibit 1 is the proposed form of default judgment.

PLEASE TAKE NOTICE THAT answering papers, if any, must be received by plaintiff by January 2, 2008, by noon.

Dated: December 4, 2007

MILLER & WRUBEL P.C.

By: /s Joel M. Miller

Joel M. Miller
Charles R. Jacob III
Jeremy M. Sher
250 Park Avenue
New York, New York 10177
(212) 336-3500

Attorneys for Plaintiff
UBS Real Estate Securities Inc.

TO: Silver State Financial Services, Inc. d/b/a Silver State Mortgage
1349 Galleria Drive, Suite 200
Henderson, Nevada 89014

Irma L. Gloria, Esq.
Woods Erickson Whitaker & Maurice LLP
1349 West Galleria Drive, Suite 200
Henderson, Nevada 89014

EXHIBIT 1

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UBS REAL ESTATE SECURITIES INC.,

Plaintiff,

-against-

SILVER STATE FINANCIAL SERVICES,
INC. d/b/a SILVER STATE MORTGAGE,

Defendant.

Case No.: 07 Civ. 3702 (MGC)

ECF Case

DEFAULT JUDGMENT

This action having been commenced on May 10, 2007 by the filing of the Summons and Complaint, and a copy of the Summons and Complaint having been personally served on defendant Silver State Financial Services, Inc. d/b/a Silver State Mortgage, on May 15, 2007, by personal service on Marika Hymer, an agent authorized to receive service for defendant, and proof of such service having been filed on May 24, 2007, and the defendant not having answered or otherwise responded to the Complaint, and the time for answering or otherwise responding to the Complaint having expired, it is

ORDERED, ADJUDGED, AND DECREED: That the plaintiff UBS Real Estate Securities Inc. have judgment against defendant Silver State Financial Services, Inc. d/b/a Silver State Mortgage in the liquidated amount of \$2,881,573 with interest at \$710.52 per diem from October 19, 2007 through January __, 2008 amounting to \$_____, and attorneys' fees and costs in the amount of \$15,507.39, amounting in all to \$_____.

Dated: New York, New York
January __, 2008

Hon. Miriam Goldman Cedarbaum, U.S.D.J.